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FACSIMILE COVER SHEET

Date: September 21, 2007

To: Maher M. Haddad, Ph.D.

Client Code: 3258.1009-004

Facsimile No.: 571-273-8300

From: Kristin A. Connarn

Subject: Continuation Application of 10/718,495
Title: "Use of HMGB Fragments as Anti-Inflammatory Agents"
Inventor: Theresa L. O'Keefe
Our Docket No.: 3258.1009-004

Number of pages including this cover sheet: 84

Please confirm receipt of facsimile: Yes X No _____

Comments:

URGENT

Please see attached courtesy copy of Continuation Application and all related documents that were filed by Express Mail on August 20, 2007.

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Kristin A. Connam
Kristin.Connam@hbsr.com
978.341.0036 x3225

SEP 21 2007

September 21, 2007

Via Facsimile and U.S. Mail

Maher M. Haddad, Ph.D
Primary Examiner
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

URGENT

Re: Continuation Application of 10/718,495
Title: "Use of HMGB Fragments as Anti-Inflammatory Agents"
Inventor: Theresa L. O'Keefe
Our Docket No.: 3258.1009-004

Dear Examiner Haddad:

As requested by the USPTO Representative, please find enclosed a courtesy copy of the Continuation Application and all related documents that were filed by Express Mail on August 20, 2007. Also enclosed is a copy of the Express Mail receipt, and a copy of the date-stamped postcard receipt from the United States Patent and Trademark Office confirming that all documents listed on the postcard were assigned a filing date of August 20, 2007 and serial number 11/894,139 for the Continuation Application. Please contact the undersigned attorney if you require any further information.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Kristin Connam".

Kristin A. Connam

Enclosures

cc: David E. Brook, Esq.
Vivien J. Tannoch-Magin, Ph.D.

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☒ Application Transmittal Express Mail Label No. EV 953783454 US
☒ Fee Transmittal w/copy ☐ Statement S/E Status
☒ Specification - Total pages 71 ☒ Drawings - Total sheets 18
☐ Copy of executed Declaration for Patent Application - Total pages []
☐ Executed POA by ☐ Assignee ☐ Applicant/Inventor - No of Docs. []
☐ Statement under 37 CFR § 3.73(b) ☐ Priority Claim Under 35 USC §119, sep. paper
☐ Copy of POA and 3.73(b) from prior case ☐ Includes Assignment document
☒ Copy of executed Declaration from prior Application No. 10/718,495
☐ Assignment/Recordation Sheet w/postcard
☐ Information Disclosure Sum. ☒ Remarks
☐ Listing of References pp [] (formerly PTO-1449) ☐ w/refs. as noted in Listing of Refs.
☐ Other: Copy of Power of Attorney and 3.73(b) with attached Assignment from prior
☒ Application No. 10/718,495
☒ Check (\$4,200) ☐ Authorization to Charge all Fees
 Applicant: Theresa L. O'Keefe
☒ Continuation of ☐ Division of Application No. 10/718,495
 Title: USE OF HMGB FRAGMENTS...
 Date received by the PTO

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ATTORNEY/IPC/LAW
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U.S. PTO



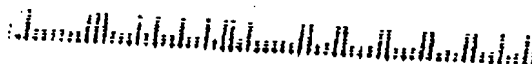
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August 13, 2007

COPY
PATENT PPL
Attorney's Docket No. 2258 1009-004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Theresa L. O'Keefe

Continuation Application of:

Application No.: 10/718,495

Filed: November 20, 2003

For: USE OF HMGB FRAGMENTS AS ANTI-INFLAMMATORY AGENTS

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Date: August 20 2007

EXPRESS MAIL LABEL NO. EV 953783454 US

REMARKS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The above-captioned application is a Continuation of application number 10/718,495 filed on November 20, 2003 to which priority is claimed under 35 U.S.C. § 120.

The specification of the present application is substantially the same as that of the parent application number 10/718,495. The related applications paragraph has been revised to include a specific reference to the parent application. No new matter has been added.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Kristin A. Connarn
Kristin A. Connarn
Registration No. 57,025
Telephone: (978) 341-0036
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Date: August 20, 2007

UTILITY PATENT APPLICATION TRANSMITTAL <small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small>		Attorney Docket No. 3258.1009-004 First Named Inventor Theresa L. O'Keefe Express Mail Label No EV 953783454 US	RECEIVED CENTRAL FAX CENTER SEP 21 2007
Title of Invention USE OF HMGB FRAGMENTS AS ANTI-INFLAMMATORY AGENTS			
APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents.		ADDRESS TO: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	
1. <input checked="" type="checkbox"/> Fee Transmittal Form <small>(Submit an original and a duplicate for fee processing)</small> 2. <input checked="" type="checkbox"/> Specification Total Pages 71 <small>Both the claims and the abstract must start on a new page (For information on the preferred arrangement, see MPEP 608.01(a))</small> 3. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) Total Sheets 18 <input type="checkbox"/> Fig. of the Drawings for Publication [] <input checked="" type="checkbox"/> No Figure to be Published 4. <input checked="" type="checkbox"/> Oath or Declaration Total Pages 2 a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <small>(for continuation/divisional with Box 18 completed)</small> i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). 5. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) 6. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission (if applicable, items a.-c. are required) a. <input type="checkbox"/> Computer Readable Form (CRF) i. <input type="checkbox"/> Computer Readable Form (CRF) ii. <input type="checkbox"/> Transfer Request (37 CFR 1.821(e)) b. <input type="checkbox"/> Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies), or ii. <input type="checkbox"/> Paper [] Pages c. <input type="checkbox"/> Statements verifying identity of above copies		ACCOMPANYING APPLICATION PARTS 7. <input type="checkbox"/> Assignment Papers (cover sheet, documents & postcard) Name of Assignee <u>Critical Therapeutics, Inc.</u> City & State <u>Cambridge, Massachusetts</u> 8. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney (when there is an assignee) 9. <input type="checkbox"/> English Translation Document (if applicable) 10. <input type="checkbox"/> Information Disclosure Statement (Listing of References (formerly PTO-1449)) <input type="checkbox"/> Copies of foreign patent documents, publications, and other information 11. <input type="checkbox"/> Preliminary Amendment 12. <input checked="" type="checkbox"/> Return Receipt Postcard 13a. <input type="checkbox"/> Foreign Priority Claim under 35 U.S.C. § 119 or 365 13b. <input type="checkbox"/> Certified Copy of Priority Document(s) 14. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i) Applicant must attach form PTO/SB/55 or equivalent 15. <input checked="" type="checkbox"/> Remarks 16. <input type="checkbox"/> Small Entity Statement(s) 17. <input checked="" type="checkbox"/> Other <u>Copy of Power of Attorney and Statement under</u> <u>§ 3.73(b) with attached Assignment from parent</u> <u>U.S. Application No 10/718,495</u>	
18. If a CONTINUING APPLICATION , check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title: <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No. <u>10/718,495</u> Prior application information Examiner <u>Maher M. Haddad, Ph.D.</u> Group Art Unit <u>1644</u> The entire disclosure of the prior application is considered a part of the disclosure of the accompanying application and is hereby incorporated by reference. (Add standard Related Applications section with incorporation by reference to specification or update same)			
19. CORRESPONDENCE ADDRESS			
NAME ADDRESS CITY COUNTRY		Customer No. 021005 HAMILTON BROOK, SMITH & REYNOLDS, P.C. 530 Virginia Road P.O. Box 9133 Concord STATE MA ZIP CODE 01742-9133 USA TELEPHONE (978) 341-0036 FAX (978) 341-0136	
Signature Submitted by Typed or Printed Name		Date Reg. Number	
<u>Kristin Connam</u> Kristin A. Connam		<u>August 20, 2007</u> 57.025	

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HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

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FEE TRANSMITTAL FOR PATENT APPLICATIONS		Attorney Docket Number		3258.1009-004		RECEIVED CENTRAL FAX CENTER SEP 21 2007		
		Application Number						
		First Named Inventor		Theresa L. O'Keefe				
CLAIM CALCULATION (includes any preliminary amendment)								
CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS			
TOTAL CLAIMS (37 CFR 1.18(c) or (j))	19	- 20 =	0	X \$ 50 =	\$	0		
INDEPENDENT CLAIMS (37 CFR 1.18(d) or (i))	19	- 3 =	16	X \$200 =	\$	3,200		
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))				+ \$360 =	\$			
				BASIC FEE Filed before 12/8/04 / Filed on/after 12/8/04		\$	300	
APPLICATION SIZE FEE (Applies if filed on or after 12/8/04) \$250 for each add'l 50 sheets exceeding 100				Specification	71	pages	\$	0
				Drawings	18	sheets		
Sequence Listing	0	pages						
Total No. Pages/Sheets			89					
				SEARCH FEE Filed before 12/8/04 / Filed on/after 12/8/04		\$	500	
				EXAMINATION FEE Filed before 12/8/04 / Filed on/after 12/8/04		\$	200	
				Total of above Calculations =		\$	4,200	
				Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =		\$		
				TOTAL =		\$	4,200	
				Surcharge - Late Filing of Declaration or Filing Fees (37 CFR 1.16(f)) =		\$		
				Petition for Extension of Time Fee (37 CFR 1.17) =		\$		
				Assignment Recordation Fee = (only when filed with application)		\$		
				[Other]		\$		
				TOTAL =		\$	4,200	
<p>1 Small entity status.</p> <p>a <input type="checkbox"/> A small entity statement is enclosed</p> <p>b <input type="checkbox"/> A small entity statement was filed in the prior non-provisional application and such status is still proper and desired</p> <p>c <input type="checkbox"/> Is no longer claimed.</p> <p>2 <input checked="" type="checkbox"/> Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes</p> <p>3 <input checked="" type="checkbox"/> A check is enclosed for \$4,200 <input type="checkbox"/> Please charge \$[] to Deposit Account No. 08-0380.</p> <p>4 <input type="checkbox"/> Other</p>								
Signature		<i>Kristin Connam</i>		Date		<i>August 20, 2007</i>		
Submitted by Typed or Printed Name		Kristin A. Connam		Reg. Number		57,025		

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